



BOARD OF OPTOMETRY
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FREQUENTLY ASKED QUESTIONS ABOUT FICTITIOUS NAME PERMITS

Q: WHEN DO I NEED A FICTITIOUS NAME PERMIT (FNP)?

A: If only the name or surname (last name) of the optometrist is used, followed by Optometrist, O.D., Doctor of Optometry, Optometric Corporation, Optometric Corp, Incorporated or Inc. Examples: "John Doe Optometric Corporation" or "John Doe, O.D., Inc." You would not be required to obtain a FNP as long as John Doe matches the legal name on the optometrist's optometric license.

Q: ARE THERE SPECIFIC NAME STYLE REQUIREMENTS FOR FNPs?

A: Yes. The proposed name cannot be misleading, deceptive, confusing or similar to a previously issued name. If an optometrist is applying as a corporation, the name must include the word or abbreviation denoting corporate existence as follows: "Corporation," "Corp.," "Professional Corporation," "Prof. Corp.," "Incorporated" or "Inc." As an example, "Sunrise Optometric Center, Inc." or "Sunrise Optometric Office Prof. Corp." would meet the requirement.

Q: HOW DO I OBTAIN A FNP?

A: Obtain a permit from a local government agency that allows you to conduct business under a fictitious business name. Typically, such a permit is called a DBA, which stands for "doing business as." Questions regarding this process should be directed to county or city agencies. The Board of Optometry is a state agency and, as such, cannot provide an answer regarding local requirements. The answer may be different, depending upon where the optometrist is practicing optometry. After obtaining a DBA permit, you must apply for a FNP from the board.

Q: WHAT IS THE FEE?

A: A \$10 non-refundable processing fee is required, with a renewal fee of \$10 every year, due on January 31. The check should be made payable to the Board of Optometry. A renewal notice will be mailed to the practice address about 90 days before the permit expires.

Q: ARE WORDS ALLOWED IN THE BUSINESS NAME THAT ARE NOT IN ENGLISH?

A: Yes. Keep in mind, the same name style requirements apply as stated above. Be sure to include, on a separate attachment, the English translation of all non-English words.

Q: WHEN CHOOSING A FICTITIOUS NAME, WHAT ARE SOME TIPS TO INCREASE THE CHANCE OF THE NAME BEING APPROVED?

A: Before selecting a fictitious name, visit the board's website (www.optometry.ca.gov/) and follow the "Search of a Licensed Optometrist" link to determine the availability of a fictitious name. Try to avoid names that include initials, abbreviations, acronyms, symbols or misspellings. If the name is unoriginal or common, chances are it has already been issued. Remember, you are competing with optometrists not only in your immediate city or county, but the entire state of California.

Q: **IF A SIMILAR FICTITIOUS NAME PERMIT WAS PREVIOUSLY ISSUED BY THE BOARD, BUT IS IN DELINQUENT STATUS (UNPAID RENEWAL FEES), IS THE NAME AVAILABLE?**

A: No. The current permit must be cancelled before the name can be issued.

Q: **WHAT HAPPENS IF MY APPLICATION IS REVIEWED AND THE PROPOSED NAME IS NOT AVAILABLE OR ALLOWED, OR OTHER PROBLEMS ARE DISCOVERED?**

A: After the application is reviewed, the permit will either be issued and mailed to the applicant, or a notice will be sent indicating deficiencies that need to be corrected for the permit to be approved. If the name is not available, you may call the board to discuss possible changes in the name. Alternate names may be faxed for review and the application will be given priority over applications not reviewed. Be sure to make corrections on the original application. You may white out or cross out mistakes; just be sure the application is legible. Once corrections are made, and the board's received the application, a permit is usually issued within 14 days.

Q: **HOW LONG WILL IT TAKE TO GET A FNP?**

A: It takes approximately 10 to 12 weeks to process an application for a FNP. The board has no provision to expedite the review of an application. The application must be reviewed in the order in which it was received.

Q: **DOES IT SPEED UP THE REVIEW PROCESS IF I HAND DELIVER THE APPLICATION?**

A: No. The application will be reviewed in the order in which it was received, whether received in the mail or hand delivered.

Q: **ONCE I APPLY FOR AND RECEIVE MY FNP, ARE THERE ANY OTHER PERMITS OR CERTIFICATES OF REGISTRATION REQUIRED FROM THE OPTOMETRY BOARD?**

A: No. As long as the optometrist license is renewed and current, the board does not require anything further. For questions regarding corporations, contact the Secretary of State at (916) 657-5448.

Q: **HOW DO I RENEW MY CURRENT PERMIT?**

A: Approximately 90 days before the permit expires, you should receive a renewal notice in the mail. Simply mail the \$10 fee with the renewal notice to the board.

Q: **CAN I CHANGE THE ADDRESS ON MY FNP?**

A: No. If you relocate an office, the current permit must be cancelled and you must apply for the new name.

Q: **HOW CAN THE FICTITIOUS NAME BE CHANGED?**

A: The business name on a fictitious business name cannot be changed. The current permit must be cancelled, and you must apply for a new name. Submit a new FNP application and a written request to cancel the existing FNP. Both documents should be mailed together to the Board of Optometry.

Q: **IS THE FNP TRANSFERABLE IF AN OPTOMETRIC PRACTICE IS PURCHASED BY ANOTHER OPTOMETRIST?**

A: No. The former owner must submit a written notice to cancel the permit, and the new owner must submit a FNP application. Both documents should be mailed together to ensure the name will be available to the new owner.

- Q: **WHAT IF I CHANGE THE WAY I AM DOING BUSINESS, FOR INSTANCE, CHANGING FROM A SOLE PROPRIETOR TO A CORPORATION?**
A: You must reapply for a new FNP. Submit a written request to cancel the permit. The letter must be signed by at least one optometrist recognized by the board as a current owner. There is no fee to cancel a permit. Also submit a FNP application to reapply for a new permit. Make sure to mail the two documents together to ensure the name will be available.
- Q: **CAN THERE BE MORE THAN ONE FNP AT A LOCATION?**
A: No. There can only be one registered fictitious business name assigned to an address or location.
- Q: **WHAT IF I DECIDE TO CANCEL MY PERMIT?**
A: Submit a written request to cancel the permit. The letter must be signed by at least one optometrist recognized by the board as a current owner. There is no fee to cancel the permit.
- Q: **WHAT IF I AM NO LONGER USING THE PERMIT AND CHOOSE NOT TO RENEW IT?**
A: If the permit is not renewed, it will fall into delinquent status. If the permit has not been renewed for three years, the system is programmed to automatically cancel the permit. The owner of the permit has the option of submitting written notice to request the permit be cancelled. No fee is charged to cancel the permit.
- Q: **CAN A PERMIT BE ISSUED TO AN OPTOMETRIST WHO IS NOT LICENSED IN CALIFORNIA?**
A: No.
- Q: **DOES THE BOARD NEED TO BE NOTIFIED IF THERE IS AN EMPLOYEE CHANGE TO THE PERMIT?**
A: No. The board only needs to be notified if there is a change of shareholders or partners.
- Q: **IS IT OKAY TO ADVERTISE A SHORTENED VERSION OF THE FICTITIOUS NAME?**
A: No. The entire name as it appears on the permit must be on all advertisements and materials seen by the public.